

SOCIAL SECURITY AND MEDICARE OFF-BUDGET LOCKBOX ACT OF 2000

Section 1 is the short title: Social Security and Medicare Off-Budget Lockbox Act of 2000.

Section 2: Strengthening Social Security Points of Order.

Section 2(a) of the amendment adds a new point of order to section 312 of the Budget Act. The point of order added as section 312(g) of the Budget Act is against a budget resolution or subsequent legislation that would violate or amend section 13301 of the Budget Enforcement Act of 1990, which established the current off-budget status of Social Security.

Section 2(b) of the amendment makes the above point of order subject to supermajority waiver.

Section 2(c)(1) requires Social Security outlays and revenues to be set forth in the budget resolution not only for five years but for every year covered by the budget resolution (in other words, if it were a 10-year resolution then 10-year Social Security numbers would be required, whereas currently the Budget Act requires only 5 years of Social Security numbers to be in the resolution).

Section 2(c)(2) strengthens an existing Social Security point of order by prohibiting Social Security surpluses from being decreased in any fiscal year covered by a budget resolution (rather than just enforcing the point of order in year one and the total of all the years in the resolution as the Budget Act currently provides).

Section 3: Medicare Trust Fund Off-Budget.

Section 3(a) of the amendment adds a new section 316 to the Budget Act. Section 316(a) would exclude Medicare Hospital Insurance Trust Fund receipts and disbursements from budget authority, outlays, receipts, deficits, and surplus numbers in the President's budget, the Congressional budget, and Budget Enforcement Act calculations. Section 316(b) is a point of order – parallel to the new Social Security point of order in section 2(a) of the amendment reinforcing the off-budget status of Social Security – that reinforces the new off-budget status of Medicare by creating a supermajority point of order against a budget resolution or subsequent legislation that would violate or amend the new section 316 of the Budget Act.

Section 3(b) of the amendment makes clear that Medicare Hospital Insurance Trust Fund outlays and revenues shall not be included in the outlay and revenue totals in the budget resolution (this is parallel to existing language at the end of Budget Act section 301(a) directing Social Security trust fund outlays and revenues to be excluded from the outlay and revenue totals in the budget resolution).

Section 3(c) of the amendment requires a separate display of Medicare Hospital Insurance Trust Fund revenues and outlays to be included in the budget resolution for each fiscal year

covered by the resolution for purposes of enforcing new points of order in sections 3(d) and (e), below, against decreasing Hospital Insurance Trust Fund surpluses (however, pursuant to sections 3(a) and (b), these revenues and outlays are excluded from budget totals).

Section 3(d) adds a new supermajority point of order against any budget resolution that would decrease Hospital Insurance Trust Fund surpluses in any year covered by the budget resolution. However, there is an exception to this point of order for amounts expended from the Hospital Insurance Trust Fund for purposes relating to existing programs within part A of Medicare, so that a point of order would not apply against a budget resolution that reflected BBA addbacks in its totals.

Section 3(e) adds a new supermajority point of order against any legislation subsequent to the budget resolution that would decrease Hospital Insurance Trust Fund surpluses in any year covered by the budget resolution. Again, there is an exception to this point of order for amounts expended from the Hospital Insurance Trust Fund for purposes relating to existing programs within part A of Medicare, so that a point of order would not apply against BBA addback legislation.

Section 3(f) excludes the Hospital Insurance Trust Fund from baseline calculations.

Section 3(g) adds the Hospital Insurance Trust Fund to the list of exempt programs for purposes of sequestration orders.

Section 3(h) exempts Hospital Insurance Trust Fund revenues and outlays from general budget limitations imposed by statute, such as net lending (budget outlays).

Section 4: Preventing On-Budget Deficits.

Section 4(a) creates two new points of order in section 312 of the Budget Act. Section 312(h)(1) is a point of order against any budget resolution that would cause or increase an on-budget deficit in any fiscal year. Section 312(h)(2) is a point of order against subsequent legislation that would cause or increase an on-budget deficit for any fiscal year.

Section 4(b) makes these supermajority points of order.